

DIF

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X

DMITRIY SEREBRYAKOV and DMITRIY
KURAMYSHEV, individually and on behalf
of all other similarly situated persons,

Plaintiffs,

-against-

GOLDEN TOUCH TRANSPORTATION
OF NY, INC. and LOKEKO INC., and
DOUBLE "K" USA, CORP. and
KONSTANTIN DERGUNOV,

Defendants.

-----X

NICHOLAS G. GARAUFIS, United States District Judge.

On April 5, 2013, Plaintiffs filed a motion to approve the tentative settlement reached with Defendant Golden Touch Transportation of NY, Inc. ("GTT") concerning Plaintiffs' claims under the Fair Labor Standards Act. (Mot. for Approval (Dkt. 31).) On April 17, 2013, the court referred this motion to Magistrate Judge Ramon E. Reyes, Jr. for a Report and Recommendation ("R&R") pursuant to 28 U.S.C. § 636(b)(1)(B) and Federal Rule of Civil Procedure 72(b)(1). (Apr. 17, 2013, Order (Dkt. 32).)

On May 22, 2013, Judge Reyes issued his R&R, recommending that the court approve Plaintiffs' motion because the tentative settlement reached with GTT "was the result of 'arm's length negotiations, which were undertaken in good faith by counsel.'" (R&R (Dkt. 34) at 3 (citation omitted).)

No party has objected to Judge Reyes's R&R, and the time to do so has passed. See Fed. R. Civ. P. 72(b)(2). (See also R&R at 11 ("Any objections to this Report and Recommendation must be filed with the Clerk of the Court . . . within fourteen (14) days of receipt of this Report.")) Therefore, the court reviews the R&R for clear error. See Gesualdi v. Mack Excavation & Trailer Serv., Inc., No.

09-CV-2502 (KAM) (JO), 2010 WL 985294, at *1 (E.D.N.Y. Mar. 15, 2010); La Torres v. Walker, 216 F. Supp. 2d 157, 159 (S.D.N.Y. 2000); cf. 28 U.S.C. § 636(b)(1). Finding no clear error, the court ADOPTS the R&R in its entirety. See Porter v. Potter, 219 F. App'x 112 (2d Cir. 2007).

Accordingly, Plaintiff's motion for approval of the settlement reached with GTT is GRANTED.

SO ORDERED.

Dated: Brooklyn, New York
June 28, 2013

~~Is/Nicholas G. Garaufis~~
NICHOLAS G. GARAUFI
United States District Judge

U